

**BEFORE THE FEDERAL COMMUNICATIONS COMMISSION**

In the Matter of	)	
	)	
Impediments to Amateur Radio	)	Docket No.: GN 12-91
Communications	)	

**ADDITIONAL COMMENTS OF NICHOLAS B. PROY**

**Introduction**

1. Commenter, Nicholas B. Proy, submitted Comments of Nicholas B. Proy ("Original Comments") for the above Docket on April 6, 2012.
2. I would like to incorporate my Original Comments as if fully stated herein.

**Impediments to Enhanced Amateur Radio Service Communications**

2(a): Private Land Use Restrictions

3. I would like to expand my original Exhibit A, entitled "CC&Rs From the Greater Baltimore, Maryland, Area," which is a sampling of CC&Rs from the greater Baltimore, Maryland, area, to include the attached Exhibit B, entitled "Additional CC&Rs from the Greater Baltimore, Maryland, Area," which is an additional sampling of CC&Rs from the greater Baltimore, Maryland, Area. I have copied the actual language from the CC&Rs as recorded among the county land records. I have also indicated the county in which the CC&Rs are recorded, as well as the book (liber) and page (folio) and HOA name for future reference if necessary.
4. The Commission should read both Exhibits A and B submitted with my comments carefully, as some CC&Rs currently prohibit *all* satellite dishes and television reception antennas, *despite* the Commission's OTARD rule. This evidences that Commission action is required if the Commission wishes to encourage emergency communications through amateur radio – without OTARD, many individuals would still be prohibited by their HOAs and CC&Rs from installing television reception antennas.

Respectfully Submitted,

/S/

Nicholas B. Proy

Proy Law Firm

PO Box 499

Finksburg, Maryland 21048

Telephone: (443) 352-8517

E-Mail: nick@proylaw.com

**EXHIBIT B**  
**Additional CC&Rs From the Greater Baltimore, Maryland, Area**

**Washington Square Homeowner's Assoc.**  
Baltimore City, MD: Book 2556, Page 562

8.2.12. no outside television aerial, satellite dish or radio antennas, or antenna for either reception or transmission shall be erected, installed or maintained on a Lot; and

**Otterbein Commons Homeowner's Assoc.**  
Baltimore City, MD: Book 5087, Page 46

(1) No outside television or radio aerial, dish, tower or antenna, or other aerial, dish, tower or antenna, for reception or transmission, shall be maintained upon any Lot.

**Hampstead View Homeowner's Assoc.**  
Baltimore City, MD: Book 14148, Page 98

(n) No outside television or radio aerial, antenna or dish or other aerial or antenna for reception or transmission, shall be maintained upon any Dwelling without the prior, written consent of the Board or the Architectural Committee, which approval shall be speedily given. It is the expressed desire of the Declarant that no such aerial or antenna be located so as to extend upward above the highest point of the Dwelling to which it is attached, and that no aerial or antenna shall be placed on the outside of any Dwelling except on the rear building wall of said Dwelling. This subsection shall be subject to such federal regulations as are now or hereafter established to regulate antennas for the reception of video signals; and

**Timber Chase Homeowner's Assoc.**

Baltimore County, MD: Book 8522, Page 526-527

**(g) Except for hoses and the like which are reasonably necessary in connection with normal lawn maintenance, no water pipe, sewer pipe, gas pipe, drainage pipe, hoses, television cable or similar transmission line shall be installed or maintained on any Lot above the surface of the ground;**

**(m) No outside television aerial or radio antenna, or other aerial or antenna for either reception or transmission, including but not limited to, Satellite "dishes" or other devices designed to receive electronic signals, shall be maintained upon the Property, except that such aerials or antenna may be erected and maintained within the Dwellings located upon the property;**

**Rivergate Homeowner's Assoc.**

Baltimore County, MD: Book 8579, Page 90-91

**(g) except for hoses and the like which are reasonably necessary in connection with normal lawn maintenance, no water pipe, sewer pipe, gas pipe, drainage pipe, television cable or similar transmission line shall be installed or maintained on any Lot above the surface of the ground.**

**(n) no outside television aerial or radio antenna, or other aerial or antennae for either reception or transmission, shall be maintained upon The Property except that such aerials or antennae may be erected and maintained within the dwellings located upon The Property; no satellite dishes shall be allowed.**

**Foxhall Farm Homeowner's Assoc.**

Baltimore County, MD: Book 8473, Page 202

**6.1.12. Radio Antenna. No radio antenna shall be erected.**

**Cobblestone Homeowner's Assoc.**

Baltimore County, MD: Book 8785, Page 807

Section 8. No outside radio tower, television or radio antenna or satellite dish shall be erected, installed or maintained on any part of the Property or any Structure on the Lots without the prior written consent of Declarant, to be granted in Declarant's sole reasonable discretion.

**Woods at Bay Country Homeowner's Assoc.**

Baltimore County, MD: Book 8864, Page 593

Section 6. Antennas. No outside television aerial, satellite dish or radio antennas, or antenna for either reception or transmission shall be erected, installed or maintained on a Lot.

**Concord Homeowner's Assoc.**

Baltimore County, MD: Book 8870, Page 201

(c) No outside television or radio aerial, antenna, or satellite dish or other aerial, for reception or transmission, or any exterior wiring for the support thereof, shall be maintained upon any dwelling or upon any lot or common areas.

**Pikeswood Village Homeowner's Assoc.**

Baltimore County, MD: Book 9524, Page 139

(1) No outside television or radio aerial, dish, tower or antenna, or other aerial, dish, tower or antenna, for reception or transmission, shall be maintained upon any Lot.

**Belneck Square Homeowner's Assoc.**

Baltimore County, MD: Book 9597, Page 426

(l) No outside television or radio aerial, dish, tower or antenna, or other aerial, dish, tower or antenna, for reception or transmission, shall be maintained upon any Lot.

**Maple Woods Homeowner's Assoc.**

Baltimore County, MD: Book 9634, Page 109

(n) No outside television aerial or radio antenna, or other aerial or antenna for receipt or transmission (including satellite dish), shall be maintained upon the Property.

**Chase Manor Homeowner's Assoc.**

Baltimore County, MD: Book 9676, Page 691

(k) Satellite Dishes. The use or erection of a microwave or satellite T.V. receiver dish or any similar dish is prohibited.

**Broadview II Homeowner's Assoc.**

Baltimore County, MD: Book 9708, Page 527

Section 7. Antennas. No outside television aerial, satellite dish or radio antennas, or antenna for either reception or transmission shall be erected, installed or maintained on any Lot.

**Pahls Crossing Homeowner's Assoc.**

Baltimore County, MD: Book 9745, Page 203

(n) No outside television aerial or radio antenna, or other aerial or antenna for receipt or transmission, shall be maintained upon the Property.

**Mayfair Homeowner's Assoc.**

Baltimore County, MD: Book 9828, Page 467

**6.1.13    Radio Antenna.    No radio antenna shall be erected.**

**Cedar Run Homeowner's Assoc.**

Baltimore County, MD: Book 9956, Page 599

**(k)    No outside television or radio aerial or antenna, or other aerial or antenna or Cable TV System for reception or transmission, shall be maintained upon any Lot.**

**Persimmon Park Homeowner's Assoc.**

Baltimore County, MD: Book 9996, Page 502

**18.    LIGHTING AND WIRING.    The exterior lighting on Lots shall be directed downward and shall not be directed outward from, or extend beyond, the boundaries of any Lot. All wiring on any Lot shall be underground. No exterior radio, television and/or citizens band radio antennae, satellite dish, or other broadcasting or receiving apparatus shall be permitted upon any Lot.**

**McDonough Run Homeowner's Assoc.**

Baltimore County, MD: Book 10143, Page 555

**(n)    No outside television aerial or radio antenna, or other aerial or antenna for receipt or transmission (including satellite dish), shall be maintained upon the Property.**

**The Fields Homeowner's Assoc.**

Baltimore County, MD: Book 10175, Page 867

(k) No outside television or radio aerial or antenna, or other aerial or antenna or Cable TV System for reception or transmission, shall be maintained upon any home without the prior written consent of the Board of Directors or the Architectural Control Committee and in no event shall such aerial or antenna be located so as to extend upward above the highest point of the home to which it is attached. No aerial or antenna shall be placed on the outside of any home except on the rear building wall of said home.

**Woodward Homeowner's Assoc.**

Baltimore County, MD: Book 10443, Page 713-714

**11. Utilities**

No facilities, including poles and wires for the transmission of electricity, telephone, and the like shall be placed or maintained above the surface of the ground on any Lot; and no external antennas of any kind, with the exception of rooftop television antennas, shall be maintained without the prior written approval of the Architectural Committee.

**Owings Choice Homeowner's Assoc.**

Baltimore County, MD: Book 10536, Page 587

(n) No outside television aerial or radio antenna, or other aerial or antenna for receipt or transmission (including satellite dish), shall be maintained upon the Property.

**Kimberly Farms Homeowner's Assoc.**

Baltimore County, MD: Book 10733, Page 22

**8.7 Antenna.** No outside satellite dish, television or radio antenna, or similar device shall be erected, installed or maintained on any Lot, or on any structures therein without the approval of the Architectural Committee.

**Gunview Farm Homeowner's Assoc.**

Baltimore County, MD: Book 10755, Page 534

(n) No outside television aerial or radio antenna, or other aerial or antenna for receipt or transmission (including satellite dish), shall be maintained upon the Property.

**Village of Cameron Mill Homeowner's Assoc.**

Baltimore County, MD: Book 10866, Page 450

**Section 4.** No facilities, including poles and wires for the transmission of electricity, telephone antenna, clothes lines and the like shall be placed or maintained above the surface of the ground on any Lot and no external or outside antennas of any kind, including satellite reception dishes shall be maintained without the prior written approval of the Architectural Committee.

**Village of Winterset Section 1B Homeowner's Assoc.**

Baltimore County, MD: Book 10936, Page 268

**3.2.12. Antennae.** No television, radio, satellite dish, citizens band radio or other broadcasting or receiving apparatus shall be permitted upon any Lot, the Property, or upon any of the buildings constructed on any portion of the Property; except that if installed or approved by Declarant or Village Board, a community cable television or radio system or other similar equipment for the purpose of emitting or receiving or distributing any form of radio, micro-wave or electromagnetic emission shall be permitted on the Property.



**Baconsfield Homeowner's Assoc.**

Baltimore County, MD: Book 10965, Page 566

**8.7. Antenna.** No outside satellite dish, television or radio antenna, or similar device shall be erected, installed or maintained on any Lot, or on any structures therein without first obtaining the written approval of the Architectural Committee.

**Berryman's Glen Homeowner's Assoc.**

Baltimore County, MD: Book 11389, Page 592

**2.15 LIGHTING AND WIRING.** The exterior lighting on Lots shall be directed downward and shall not be directed outward from, or extend beyond, the boundaries of any Lot. All wiring on any Lot shall be underground. No exterior radio, television and/or citizens band radio antennae, satellite dish (unless 18" or less), or other broadcasting or receiving apparatus shall be permitted upon any Lot.

**Lyonswood South Homeowner's Assoc.**

Baltimore County, MD: Book 11539, Page xxx

**(k) Antenna.** No outside television or radio aerial or antenna or other similar aerial, antenna for reception or transmission shall be maintained upon any Lot or dwelling. The use or erection of a microwave or satellite T.V. receiver dish or any similar dish is prohibited. Notwithstanding the foregoing, a satellite T.V. dish measuring twenty inches (20") or less in diameter is permitted on any Lot in the Lyonswood South subdivision provided the Owner of the Lot obtains the approval of the location and screening for the satellite T.V. dish from the Declarant or Architectural Control Committee.

**Beldale Homeowner's Assoc.**

Baltimore County, MD: Book 11570, Page 198

**2.16 LIGHTING AND WIRING.** The exterior lighting on Lots shall be directed downward and shall not be directed outward from, or extend beyond, the boundaries of any Lot. All wiring on any Lot shall be underground. No exterior radio, television and/or citizens band radio antennae, satellite dish (excluding, however, satellite dishes having a diameter of 18 inches or less), or other broadcasting or receiving apparatus shall be permitted upon any Lot.

**Springhouse Station Homeowner's Assoc.**

Baltimore County, MD: Book 11691, Page 670

**(1) No outside television or radio aerial, dish, tower or antenna, or other aerial, dish, tower or antenna, for reception or transmission, shall be maintained upon any Lot.**

**Stewarts Glen Homeowner's Assoc.**

Baltimore County, MD: Book 12112, Page 392

**8.6. Antenna.** No outside satellite dish, television or radio antenna, or similar device shall be erected, installed or maintained on any Lot, or on any structures therein without first obtaining the written approval of the Architectural Committee.

**Village of Scots Fancy Homeowner's Assoc.**

Harford County, MD: Book 1219, Page 664

**(k)** no outside television aerial or radio antenna, or other aerial or antennae for either reception or transmission, shall be maintained upon the Property except that (i) such aerials or antennae may be erected and maintained within the dwellings located upon the Property and (ii) such master antennas as the Association may contract for or approve may be mounted on such dwellings as it may elect.

**Maye Field Homeowner's Assoc.**

Harford County, MD: Book 1291, Page 241

Section 8. Television Antennas. No individual exterior television or radio antennas will be permitted. However, a master television antenna to provide service to all units within a building may be erected with the approval of the Architectural Committee at the request of the owners of units within the building.

**Foxborough Farms Homeowner's Assoc.**

Harford County, MD: Book 1328, Page 952

(k) No outside television aerial or radio antenna, or other aerial or antenna for receipt or transmission, shall be maintained upon the Property.

**Woodbridge Homeowner's Assoc.**

Harford County, MD: Book 1337, Page 389

Section 12. Outside Antennas. Without prior written approval of the Association, no exterior television, radio or dish antennas of any sort shall be placed, allowed or maintained upon any portion of the improvements to be located upon the property.

**Wellington Woods Homeowner's Assoc.**

Harford County, MD: Book 1495, Page 879

10. Antennas. No outside or exterior antenna of any kind (including, without limitation, any satellite dish) for use with radio or television shall be installed or maintained on any Lot or Common Area, or on any building or other structure located on any Lot or Common Area, whether or not being a part thereof and whether or not being detachable therefrom.

**Shaffner Driver Homeowner's Assoc.**

Harford County, MD: Book 1552, Page xxx

7. No television or other type antenna or aerial may be installed on the exterior of any Dwelling. Nor may a satellite dish or similar type device be installed on any Lot or on any part of the Property, without the prior approval of the Architectural Control Committee.

**Arborview II Homeowner's Assoc.**

Harford County, MD: Book 1660, Page 229

Section 8. Antennas. No outside television aerial, satellite dish or radio antennas, or antenna for either reception or transmission shall be erected.